



# Navigating the Road to Restoration

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# Getting Ready for Your Roadtrip

- Identify your goals
  - What you want
  - What you need
    - data
    - sampling protocols
      - type
      - frequency
      - QA/QC



- Achieve In-house Consensus on Strategy
  - Consult with all State Trustees
  - Technical team gets assembled
  - Management needs to let you do your job
- Identify Deal Breakers - real ones that can stop the process cold
- Identify your schedule and do you have control of it?
- Identify Major Milestones



# Rules of the Road for All

- Agree on meeting structure
- Identify everyone's role
  - Technical
  - Policy
  - Administrative
  - Legal



- Meeting Minutes
  - Areas of Agreement
  - Items completed
  - Tabled Issues
  - To Do Lists
  - Holdover Items
  - New Business for Next Time



- Dispute Resolution
  - Identify what is a dispute
    - technical
    - administrative/policy
    - legal
  - Identify the dispute resolution process for each
  - Can you move forward on other issues without resolution on the dispute



# Scenic Overlook #1

- Be courteous
- Remain open to alternative ideas and opinions
- Be respectful of others
- Don't take it personal
- Leave preconceived notions at the door
- Remember you are here because you want to cooperate



# On the Road Together

- Identify Goals
  - short term
  - long term
  - common
  - not in common
- Identify Milestones
  - documentation
  - data collection
  - data evaluation
  - data presentation





- Discuss Schedules
- What is more important, the path or the goal?
- Agree on Definitions
  - lost service
  - injury
  - restoration
  - success



# Avoiding Bumps in the Road

- Honesty is the best policy
- Trust is important
- Be constructive, not critical - if you have a concern, suggest solutions too
- Avoid surprises, be proactive to avoid them
  - negotiation issues
  - technical issues
  - resource issues



# Scenic Overlook #2: The Trustee

- The role of the trustee is to protect the public's interest with respect to natural resources
- When a natural resource is injured it is the trustee's duty to assess injury (including lost use) and pursue restoration
- It is the trustee's duty to compel restoration of injured resources to make the public whole.



# Scenic Byway: The Lawyers

- Understand the role attorneys play in your organization, are they always at the table?
- Attorneys help everyone identify potential legal issues
- Attorneys aid in drafting/reviewing any agreements needed
- Attorney aid in keeping track of the intent or context of term sheet items
- Attorney may or may not be policy advisors



# Destination: Cooperative Assessment

- Using the strategies above can keep you on track in your negotiations
- It is critical identify and agree on intra-agency goals in order to be able to coordinate with non-state entities, governmental or otherwise
- A cooperative assessment will provide the basis for a restoration acceptable to all



**For Further Information, Please Contact:**

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